

BILINGUAL SERVICES POLICY [TEMPLATE DOCUMENT]

The State Personnel Board (SPB) has required all State departments to submit a Bilingual Services Policy or other type of policy statement that communicates its commitment to comply with the Dymally-Alatorre Bilingual Services Act (Government Code 7290-7299.8).

Each department's policy statement should provide basic guidelines for its employees to ensure they are aware of the department's responsibilities under the Act. Additionally, it provides it employees with the necessary information and guidance to enable them to carry out their responsibilities should they encounter a non- or limited-English-proficient (LEP) customer in the performance of their job.

The SPB has developed a Bilingual Services Policy template that state departments may utilize in developing a policy statement that reflects their commitment to comply with the Act. This policy template is intended to provide departments with an example of the types of information its policy may contain. Based on the level of public contacts your department receives, the public services it provides and the bilingual resources it has available, your policy may differ significantly from this template. Each departments' policy should be an accurate reflection of its bilingual services program and contain the information deemed necessary to effectively communicate its responsibilities under the Act.

BILINGUAL SERVICES POLICY

[Template Document]

TO: ALL EMPLOYEES [Recommend dissemination to all employees of the department]

DATE: [Policy should be dated and revised/re-issued biennially]

FROM: DEPARTMENT DIRECTOR [Recommend Policy comes from the Director to effectively convey the department's level of commitment]

SUBJECT: BILINGUAL SERVICES POLICY [The department can name its policy as deemed appropriate, such as, Language Access Policy, Bilingual Program Policy, etc.]

I. Policy Statement: [Department's statement of commitment to provide language access.]

The Department of _____ is responsible for ensuring that all persons, including non- or limited-English proficient (LEP) people are provided equal access to its available services and information. The department is committed to ensuring that all of its programs and services are accessible to LEP customers in compliance with the Act. All employees are responsible for ensuring that the public is treated with dignity and respect, that it identifies the language needs of our customers, and utilizes available bilingual resources to assist customers, when needed.

II. Legal Authority: [Cite any legal statutes your department might be required to comply with regarding language-access].

- Dymally-Alatorre Bilingual Services Act: Government Code Sections 7290-7299.8
- Title VI of Civil Rights Act of 1964 [Cite this source if your department receives any federal funding].
- Executive Order 13166 [Cite this source if your department receives any federal funding].
- Government Code Section 11435.15 [Cite this source if your department is required to utilize certified hearing and medical interpreters].

III. Definition of Terms: [List any terms that would assist employees in understanding the policy or their responsibilities.]

Sufficient Number of Qualified Bilingual Persons: The number of qualified bilingual persons required to provide the same level of services to non-English-speaking persons as is available to English-speaking persons seeking such services (Government Code Section 7296.4).

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Substantial Number of Non-English-Speaking People: Are members of a group who either do not speak English, or who are unable to effectively communicate in English....., and who comprise 5% or more of the people served by any local office or facility of a state agency (Government Code Section 7296.2).

Bilingual Person: Is a person who is proficient in both the English language and the foreign language to be used (Government Code Section 7296).

Non-English-Speaking Persons: Are members of a group who either do not speak English, or who are unable to effectively communicate in English because it is not their native language (Government Code Section 7296.2).

Contracted Telephone-Based Interpretation Services: A contract between a private vendor and a state agency to provide interpretation services via the telephone for a rate according to a contractual agreement (Government Code Section 7299.1).

Interpretation: The oral or manual transfer of a message from one language to another.

Translation: The written transfer of a message from one language to another.

Native Language: The language that a person identifies as the language of their origin.

Public Contact Position: A position determined by the agency to be one which emphasizes the ability to meet, contact and deal with the public in the performance of the agency's functions. (Government Code Section 7297)

IV. Performance & Service Standards:

1. Department: [List standards for department in ensuring language access is provided in accordance with the Act.]
 - The department participates fully in the biennial language survey of each of its local offices to identify its non-English language needs and the primary languages of its clients in accordance with required procedures.
 - For each non-English-speaking group that represents a minimum of 5% of the public served by a local office, that office employs an appropriate number of certified bilingual employees.

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- Where appropriate, each office makes available translated materials that solicit or require the furnishing of information from an individual, provide that individual with information, or that describe information that may affect the individual's rights, duties or privileges with regard to the services or benefits of the department.
 - The department maintains a list of translated materials that have been translated and the languages in which they have been translated and makes these materials accessible to the LEP public.
 - The department contracts with telephonic or other interpreter services to ensure it has qualified bilingual interpreters for languages for which it does not employ certified bilingual staff.
 - All interpreters and translators utilized by the department are qualified and certified to perform the services requested, for the language(s) in which they have been certified as fluent.
 - An effective procedure is in place to quickly resolve complaints from non-English-speaking people regarding the availability of interpreters or translated materials.
 - A Poster or Notice is posted and visible in all public offices that advise non-English-speaking people of their right to access services in their native language and, at a minimum, is translated into the non-English languages for which the department met the 5% threshold.
2. Public Contact Employees: [List standards for employees in public contact positions.]
- Staff provide effective telephone and face-to-face communication between staff and non-English-speaking people.
 - Staff receive training regarding the appropriate procedures for providing services to non- or limited-English-speaking people.
 - Staff participate in the biennial language survey and are provided training on how to conduct a meaningful language survey.
 - Staff are provided with instructions on how to utilize telephone interpreter services.

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V. Client Service Standards: [List standards that apply to how services are to be provided to LEP customers.]

- Non-English-speaking people are identified as early as possible during the initial contact.
- A qualified interpreter is contacted as soon as possible, to ensure no significant delay in service takes place.
- Complaints about lack of interpreter/translation services are resolved quickly and to the satisfaction of the client in accordance with established department procedures.
- Translated documents, translation guides and aids are available at all local offices that serve non-English-speaking persons. Where translated documents are not available, provide a qualified interpreter to explain information to the LEP customer.

VI. Bilingual Resources: [List the bilingual resources your department has available.]

- A list of department's bilingual employees that identifies the language in which the employee is certified as proficient is attached.
- List of translated documents and the non-English language in which they are translated are accessible in every office that serves the public or available on the department's Web site.
- Bilingual Dictionaries, Glossaries of Commonly Used Terms, Language Identification Cards and other bilingual tools are available to all public contact employees.
- The department contracts with _____ for telephone interpreter services.

VII. Questions or Assistance: [Identify who employees should contact for questions or assistance.]

If an employee is unsure of his or her responsibilities for providing services to non- or limited-English proficient people, or has any questions regarding this policy, they should contact their supervisor. If assistance is needed in interpreting this policy or

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accessing available bilingual resources, please contact the department's Bilingual Services Coordinator, as follows:

Name: _____

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Telephone #: () _____

TDD #: _____